

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: GENERAL MOTORS LLC
IGNITION SWITCH LITIGATION

14-MD-2543 (JMF)

This Document Relates To All Actions
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APPLICATION TO APPOINT JAMES R. DUGAN, II
AS CO-LEAD PLAINTIFFS' COUNSEL OR IN THE ALTERNATIVE TO THE
PLAINTIFFS' EXECUTIVE COMMITTEE OR STEERING COMMITTEE

I, James R. Dugan, declare as follows:

I am an attorney with The Dugan Law Firm and an attorney for plaintiffs in the above captioned case. I have full knowledge of the matters stated herein and testify hereto.

I am the founding partner of The Dugan Law Firm, APLC. I began my career working with the late Wendell H. Gauthier and the Law Firm of Gauthier, Downing, LaBarre, Beiser & Dean in the areas of class action, mass tort, and complex litigation, beginning with the seminal class action lawsuit filed against the tobacco industry on the basis of nicotine addiction, *Castano v. American Tobacco, et al.* which resulted in a multi-billion dollar settlement. After Mr. Gauthier's untimely death in December of 2001, I formed the Dugan & Browne Law Firm, the predecessor to the Dugan Law Firm and I continue to specialize in class action and mass tort litigation.

The Dugan Law Firm is co-counsel with Weller, Green, Toups & Terrell collectively representing 161 families injured as a result of GM's wrongdoing, including 29 death cases and 84 severe injury cases. We have currently filed lawsuits against GM in Texas, Louisiana, Ohio, and Mississippi and represent consumer plaintiffs in 18 different states.

The Dugan Law Firm is committed to providing the time, effort and resources needed to prosecute this case.

As a result of my demonstrated skill and experience in class action and mass tort practice, I have been appointed by the court to serve in key leadership positions in a number of national federal court class action cases including:

1. **In Re: Synthroid Marketing Litigation, (MDL No. 1182)**, (1997-2004) USDC for the Northern District of Illinois, Eastern Division, Judge Elaine E. Bucklo. Co-Lead Counsel for a class of third party-payors. Settlement: \$45,000,000.00
2. **In Re: Diet Drugs Litigation, (MDL No. 1203)** (1997-2002) USDC for the Eastern District of Pennsylvania, Judge Lewis C. Bechtel. Co-Lead Counsel for a large group of individually represented third-party payors. Settlement: \$35,000,000.00
3. **In Re: Propulsid Litigation, (MDL No. 1355)** (2000-2014) USDC for the Eastern District of Louisiana, Judge Eldon Fallon. Member: Plaintiffs' Steering Committee. Settlement: \$90,000,000.00
4. **In Re: Rezulin Products Liability Litigation, (MDL No. 1348)** (2000-2008) USDC for the Southern District of New York, Judge Lewis A. Kaplan. Liaison Counsel to a class of Health Benefit Providers. Settlement: \$22,500,000.00
5. **In Re: Industrial Life Insurance Litigation, (MDL No. 1371)** (2000-2007) USDC for the Eastern District of Louisiana, Judge Martin L.C. Feldman, presiding. Member: Plaintiffs' Executive Committee. Settlement: \$50,000,000.00
6. **In Re: Inter-Op Hip Prosthesis Product Liability Litigation, (MDL No. 1401)** (2001-2008) USDC for the Northern District of Ohio, Eastern Division, Judge Kathleen O'Malley. Member: Plaintiffs' Steering Committee. Settlement: \$1,200,000,000.00
7. **In Re: Baycol Products Liability Litigation, (MDL No. 1431)** (2001-2007) USDC for the District of Minnesota, Judge Michael Davis. Member: Plaintiffs' Steering Committee. Settlement: 1,000,000,000.00
8. **In Re: Meridia Products Liability Litigation, (MDL No. 1481)** (2002-2006) USDC for the Northern District of Ohio, Judge James S. Gwin. Member: Plaintiffs' Steering Committee.
9. **In Re: Serzone Products Liability Litigation (MDL No. 1477)** (2002-2007) USDC for the Southern District of West Virginia, Judge Joseph R. Goodwin. Member: Plaintiffs' Steering Committee. Settlement: \$90,000,000.00
10. **In Re: Neurontin Marketing & Sales Practices Litigation (MDL No. 1629)** (2004-Present) USDC for the District of Massachusetts, Judge Patti B. Saris. Member: Plaintiffs' Steering Committee. Settlement Pending: \$325,000,000.00

11. **In Re: Vioxx Products Liability Litigation (MDL No. 1657)** (2005-present) USDC for the Eastern District of Louisiana, Judge Eldon Fallon. Member: Co-Chair Purchase Claims Committee. Settlement: \$80,000,000.00
12. **In Re: Zyprexa Marketing and Sales Practices Litigation (MDL No. 1596)** (2005-2012) USDC for the Eastern District of New York, Judge Weinstein. Member: Co-Lead Counsel for the Purchase Claims. Settlement: \$4,500,000.00
13. **In Re: Fosamax Product Liability Litigation (MDL No. 1789)** (2006-present) USDC for the Southern District of New York, Judge Keenan. Member: Plaintiffs' Steering Committee.
14. **In Re: Oxycontin Marketing and Sales Practices Litigation** (2007-2009) USDC for the Southern District of New York, Judge Koetl. Co-lead counsel for third-party payors. Settlement: \$20,000,000.00
15. **In Re: Ketek Marketing and Sales Practices Litigation** (2008-Present) USDC for the Eastern District of New York, Judge Townes. Co-lead Counsel for third-party payors.
16. **In Re: Vytarin Marketing, Sales Practice, and Products Liability (MDL No. 1938)** (2008-2010) USDC for the District of New Jersey, Judge Dennis M. Cavanaugh. Member: Plaintiffs' Steering Committee. Settlement: \$45,000,000.00
17. **In Re: Actimmune Product Liability Litigation** (08-CV-3797-MHP) (2009-2013) USDC for the Northern District of California, Judge Marilyn H. Patel. Member: Plaintiffs' Steering Committee.
18. **In re: Light Cigarettes Marketing and Sales Practices Litigation (MDL No. 2068)** (2009-2013) USDC for the District of Maine, Judge John Woodcock Jr. Member: Plaintiffs' Steering Committee.
19. **In re: Celexa/Lexapro Product Liability Litigation (MDL No. 2067)** (2009-Present) USDC for the District of Massachusetts, Judge Nathaniel M. Gorton. Lead Counsel for the third-party payors.
20. **In Re: Fosamax Femur Litigation (MDL No. 2243)** (2011–Present) USDC for the District of New Jersey, Judge Joel A. Pisano. Member: Plaintiffs' Steering Committee.
21. **In Re: Effexor Antitrust Litigation** (11-CV-05590) (2011-Present) USDC for the District of New Jersey, Judge Sheridan. Member: Executive Committee for Indirect Purchasers.
22. **In Re: Prograf Antitrust Litigation (MDL No. 2242)** (2011-Present) USDC for District of Massachusetts, Judge Rya W. Zobel. Member: Co-Lead Counsel for Indirect Purchasers.
23. **In Re: National Football Players' Concussion Injury (MDL No. 2323)** (2012–Present), USDC for the Eastern District of Pennsylvania, Judge Anita Brody. Member: Plaintiffs'

Steering Committee. Settlement Pending: Uncapped.

24. **In Re: Skelaxin (Metaxalone) Antitrust Litigation (MDL No. 2343)** (2012-Present), USDC for the Eastern District of Tennessee, Judge Curtis L. Collier. Member: Plaintiffs' Executive Committee for Indirect Purchasers.

25. **In Re: Pradaxa (Dabigatran Etexilate) Products Liability Litigation (MDL No. 2385)** (2012-Present), USDC for Southern District of Illinois, Judge David R. Herndon. Member: Plaintiffs' Steering Committee. Settlement Pending: \$625,000.00.

26. **In Re: Nexium (Esomeprazole) Antitrust Litigation (MDL No. 2409)** (2012-Present), USDC for the District of Massachusetts, Judge William G. Young. Member: Plaintiff's Executive Committee for Indirect Purchasers.

27. **In Re: Fresenius Granuflo/Naturalte Dialysate Products Liability Litigation (MDL No. 2428)** (2013- Present) USDC for the District of Massachusetts, Judge Douglas P. Woodlock. Member: Plaintiffs' Steering Committee.

28. **In Re: Suboxone (Buprenorphine Hydrochloride and Naloxone) Antitrust Litigation (MDL No: 2445)** (2013 – Present), USDC for the Eastern District of Pennsylvania, Judge Mitchell S. Goldberg. Member: Plaintiffs' Executive Committee for Indirect Purchasers.

29. **In Re: Niaspan Antitrust Litigation (MDL No: 2460)** 2013- Present). USDC for the Eastern District of Pennsylvania, Judge Jan E. DuBois. Member: Plaintiffs' Steering Committee for Indirect Purchasers.

30. **In Re: DuRocher v. Riddell** (13-cv-01570) (2013- Present) USDC for the Southern District of Indiana, Judge Sarah Evans Barker. Co-Lead Counsel.

31. **In Re: Lidoderm Antitrust Litigation (MDL No. 2521)** (2014 - present) USDC for the Northern District of California, Judge William H. Orrick. Member: Executive Committee for Indirect Purchasers.

I received my B.A. from the University of Southwestern Louisiana in Lafayette, Louisiana and my J.D. from Loyola University Law School in New Orleans, Louisiana. I am a member of the Louisiana Bar and have also been admitted to practice before a number of Federal Courts including the Eastern and Middle District's of Louisiana and the Southern District of Alabama, District of Massachusetts, the Eastern District of New York, United States 1st, 2nd and 5th Circuit Courts of Appeal.

I continue to be an active member in a number of well-respected legal organizations, including the Federal Bar Association, the Louisiana Association for Justice, the Orleans Parish Bar Association and the Louisiana State and American Bar Associations. I have been named to the American Association for Justice Top 100 Trial Lawyers for the years of 2007 through 2013. I also serve on the Board of Advocates for Human Rights First, and serve on the board of my sons' school, St. George Episcopal School in New Orleans. I am married to Heidi Dugan and we have two sons, James, III (10) and Jackson (6).

Respectfully submitted,

/s/ James R. Dugan, II
James R. Dugan, II
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CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2014, a copy of the foregoing was filed electronically. Notice of this filing will be made on all ECF-registered counsel by operation of the court's electronic filing system.

/s/ James R. Dugan, II
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